THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.10498 of 2006

Date:31.05.2006

Between:

Veera Pratap Korukonda Tata Veerabhadra Raju

-------PETITIONER

AND

The Commissioner and Director of Settlements others.

---------RESPONDENTS

ORDER:

The petitioner preferred an appeal before the first respondent against the order, dated 06.07.2002, passed by the Settlement Officer, Bhadrachalam under the provisions of the Andhra Pradesh Mahals (Abolition and Conversion into Ryotwari) Act and Rules. The appeal was dismissed for default on 20.03.2006. The petitioner states that the appeal came to be dismissed on account of the factors beyond his control and since he came to know about the dismissal of the appeal, he filed an application for restoration of the same. The grievance of the petitioner is that even while the application for restoration is pending, respondents 2 and 3 are taking steps to dispossess him. He places reliance upon the memo, dated 17.07.1980, issued by the Government.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

Though the first respondent passed a detailed order, dated 20.03.2006, the fact remains that there was no representation on behalf of the petitioner. The application for restoration of the appeal is pending. Government itself issued memorandum, dated 17.07.1980, directing that wherever appeals and other proceedings are pending, particularly under the revenue enactments, ryots shall not be evicted from

the lands, pending such claims.

For the foregoing reasons, the writ petition is disposed of, directing that the petitioner shall not be evicted from the land in question till the application filed by him before the first respondent for restoration of the appeal is disposed of. There shall be no order as to costs.

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31.05.2006.

Note: Issue C.C. in three days.

(B/o)

kdl